

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding  
Clerk: Sheilah Cahill  
Court Reporter: Diane Skillman  
Date: 6/11/08

Plaintiff: United States

v.

No. CR-07-00470 CW

Defendant: Heiu Thai (present - in custody - interpreter used)

Appearances for Plaintiff:  
Keslie Stewart

Appearances for Defendant:  
Colleen Martin

Interpreter:  
Hong Ha (Vietnamese)

Probation Officer:  
Constance Cook

Hearing: Sentencing

**Notes:** Defendant and counsel have read PSR (interpreted for defendant); no factual disputes. Court finds Offense Level 31, Criminal History III, leading to a Guideline Range of 135 - 168. Court departs downward to Offense Level 27, leading to a Guideline Range of 87 - 108 months. Based on agreement of parties, Court sentences the defendant to 87 months on Counts 1 and 3 to run concurrent to be followed by 5 years supervised release on Count 1 and 3 years supervised release on Count 3 to run concurrent under the usual terms and conditions and the special conditions as set forth in the PSR. No fine imposed due to lack of ability to pay fine. Defendant to pay \$200 special due immediately, but may be paid through the defendant's participation in the BOP Inmate Financial Responsibility Program at the rate of \$25 per quarter. Any remaining counts are dismissed. Court will recommend 500 drug treatment program at a facility as close to the Bay Area as possible consistent with drug treatment program. Defendant remanded to custody of U.S. Marshal. See J&C for details.

Copies to: Chambers

**FILED**  
JUN 11 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND